

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAYMOND THOMAS,)
)
Plaintiff,) 8:06cv752
)
vs.) MEMORANDUM AND ORDER
)
OFFICER GLAZEBROOK, et al.,)
)
Defendants.)

This matter is before the court on filing no. 12, the Motion for Extension of Time to serve the defendants, filed by the plaintiff, Raymond Thomas, a state prisoner. The plaintiff represents that while he was in the Douglas County Correctional Center ("DCCC") as a pretrial detainee, he was physically attacked, beaten and then denied medical care.

The plaintiff has clarified (filing no. 10) that he has sued all defendants in both their individual and official capacities. The Clerk of Court has sent twelve additional summons and USM-285 forms to the plaintiff (filing no. 11) to complete and return to the court for service of process on the defendants by the U.S. Marshal, as the plaintiff is proceeding in forma pauperis ("IFP"). The court will copy the plaintiff's complaint, as amended, for the Marshal. All the plaintiff must do is to complete the forms for service of process and return them to the Clerk of Court.

As previously explained in the Order on Initial Review, all defendants in their official capacity (i.e., Douglas County, Nebraska) may be served collectively on one summons form addressed to the Douglas County Clerk, 1819 Farnam Street H08, Omaha, NE 68183. Individual capacity service, on the other hand, may be addressed to a location

where a defendant can personally be found and will accept service of process himself, herself or through someone authorized to receive a summons on his or her behalf. Unlike official capacity, only one defendant in his or her *individual* capacity may appear on a summons.

As all that remains is for the plaintiff to complete the paperwork and return the completed forms to the court, thirty (30) days from the date of this Memorandum and Order should suffice. Filing no. 12 is granted insofar as the plaintiff shall have thirty (30) days from the date of this Memorandum and Order to return the completed summons and USM-285 forms to the Clerk of Court. Thereafter, the U.S. Marshal shall have thirty (30) more days to effect service of process.

SO ORDERED.

DATED this 23rd day of May, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
Chief District Judge